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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	3:73-cv-00127-MMD-WGC
	)	
Plaintiff,	)	
	)	<b>WALKER RIVER IRRIGATION</b>
WALKER RIVER PAIUTE TRIBE,	)	<b>DISTRICT'S AND UNITED</b>
	)	<b>STATES' NOTICE OF</b>
Plaintiff-Intervenor,	)	<b>RECOMMENDED REVISIONS TO</b>
	)	<b>PROPOSED MINUTES OF</b>
v.	)	<b>PROCEEDINGS (ECF NO. 2557)</b>
	)	
WALKER RIVER IRRIGATION DISTRICT,	)	
a corporation, et al.,	)	
	)	
Defendants.	)	

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Pursuant to the Court's Order in the Proposed Minutes of Proceedings (ECF No. 2557), the Walker River Irrigation District ("District") and the United States jointly recommend the revisions to the Proposed Minutes of Proceedings which are set forth below. Because of the intervening weekend and the travel schedules of counsel for the United States, there has been a limited opportunity for counsel for the District and the United States to communicate with each other and also with counsel for other Principal Parties concerning these recommendations. The recommendations are organized in the same manner as the Proposed Minutes.

**ECF Nos. 2434 – Notice of Change of Ownership of Water Right / and 2485 – Order:**

With respect to this item, the District and the United States would delete lines 16 through 20 on page 2. In their place, the District and the United States would insert the following:

“Dennis VanSyoc was not named as a party in this matter because of his ownership interest in the AVMWC. He was named as a defendant because it was initially thought that he might hold a riparian water right under California law. However, it was later determined that he did not, and he was dismissed as a party on September 9, 2014 pursuant to ECF No. 2074 at p. 5.”

This recommendation clarifies why Dennis VanSyoc was named as a party, and that he was dismissed as a party nearly 5 years ago.

**ECF No. 2452 – Notice (Reiko Hervin and Patricia Hervin):**

The District and the United States would revise lines 23 through 27 on page 2 to read as follows:

“IT IS FURTHER ORDERED that if the personal representatives of or the heirs of Reiko and/or Patricia Hervin wish to take further action in this case, they must act through counsel and comply with the applicable requirements of Rule 25 of the Federal Rules of Civil Procedure concerning Substitution of Parties.”

Because Form A (ECF No. 2556-1) does not apply here, there is no need to refer to it, and a reference to it may cause confusion.

**ECF Nos. 2458 – Motion/Letter to be removed from email notifications, and 2486 – Order:**

With respect to this item, the District and the United States recommend adding the following sentence after line 15 ½ on page 3:

“However, being removed from the email list will not effect a dismissal of the Tuckers from this case.”

The District and the United States would revise lines 17 through 19 to read as follows:

“IT IS FURTHER ORDERED that Tuckers, individually or as trustees, may seek to be dismissed from this case by substituting their successor-in-interest as a defendant, but must do so, if acting individually by following the substitution process outlined in Order (ECF No. 2556) utilizing the attached Form A (ECF

No. 2556-1). If they are acting as trustees of a trust, they must act through counsel and comply with the applicable requirements of Rule 25 of the Federal Rules of Civil Procedure concerning Substitution of Parties.”

If persons receiving email notice also receive a link to the filed document, the District and the United States are of the view that it would be helpful to attach Form A (ECF No. 2556-1) so that someone eligible to use it would have it readily available. However, if those persons do not receive such a link, then there is no reason to attach Form A (ECF No. 2556-1).

**ECF No. 2460 – Motion/Letter to be removed from the email list:**

The District and the United States do not recommend any changes to this item.

**ECF Nos. 2475 – Motion/Notice of Change of Ownership of Water Right and 2487 – Order:**

With respect to this item, the District and the United States would revise lines 24 through 28 on page 4 to read as follows:

“IT IS FURTHER ORDERED that if the John H. Felber Trust wishes to take action in this case to substitute its successor-in-interest as a defendant, it must act through counsel, and comply with the requirements of Rule 25 of the Federal Rules of Civil Procedure concerning Substitution of Parties.”

Because Form A (ECF No. 2556-1) does not apply here, there is no need to refer to it, and a reference to it may cause confusion.

Respectfully submitted this 12th day of August, 2019.

WOODBURN AND WEDGE

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**CERTIFICATE OF SERVICE**

I certify that I am an employee of Woodburn and Wedge and that on the 12th day of August, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the parties of record.

/ s / Holly Dewar

Holly Dewar